IN THE HIGH COURT OF JUDICTURE FOR RAJASTHAN AT JODHPUR.

O R D E R

Om Prakash & Anr. Versus State of Rajasthan & Anr.

S.B. Criminal Misc. Petition No.179/2007

...

Date of Order: July 16, 2007

PRESENT

HON'BLE MR. JUSTICE H.R. PANWAR

Mr. Vineet Jain, for the petitioners.
Mr. Ashok Upadhyaya, Public Prosecutor for the State.

BY THE COURT:

By the instant criminal miscellaneous petition under Section 482 of the Code of Criminal Procedure, 1973 (for short, "the Code" hereinafter), the petitioners have challenged the order dated 27-8-1990 passed by the Judicial Magistrate, Loonkaransar, district Bikaner (for short, "the trial Court" hereinafter).

The petitioners are facing the same proceedings as were being faced by co-accused Dwarka Prasad, Bhanga Ram, Usman Ghani and Kishan Lal. The proceedings against co-accused Dwarka Prasad were quashed by the order dated 3-3-2004 passed by this Court in S.B. Criminal Misc. Petition No. 282/1994; and the proceedings against co-accused Bhanga Ram,

Usman Ghani and Kishan Lal were quashed by the order dated 7.8.2006 passed by this Court in S.B. Criminal Miscellaneous Petition No. 609/2006.

Keeping in view the fact that the proceedings against similarly situated co-accused have been quashed by this Court vide aforesaid orders, in my view, no useful purpose would be served in allowing the criminal proceedings to continue against the present petitioners.

Consequently, the criminal miscellaneous petition is allowed. The order dated 27-8-1990 passed by the trial Court is set aside qua the present petitioners. The proceedings against the present petitioners stand quashed.

(H.R. PANWAR), J.

mcs